

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:

LIMETREE BAY SERVICES, LLC, et al.,¹

Debtors.

CHAPTER 11

CASE NO.: 21-32351

(Jointly Administered)

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN, that Appellant BERRY CONTRACTING LP, D/B/A BAY, LTD. (“Bay” or “Appellant”) by and through its undersigned counsel, files this Notice of Appeal, pursuant to Rules 8002 and 8003 of the Federal Rules of Bankruptcy Procedure.

Specifically, Bay appeals to the United States District Court for the Southern District of Texas this Court’s *Order Granting Debtors’ Emergency Motion to (I) Reopen Auction Pursuant to Bidding Procedures, (II) Approve Schedule and Procedures for Continued Auction, and (III) Grant Related Relief* [Doc. No. 913] entered on December 10, 2021, and any adverse orders, rulings, decrees, decisions, or opinions subsumed therein.

Part 1: Identify the appellant(s)

1. Name(s) of appellant(s):

BERRY CONTRACTING LP, D/B/A BAY, LTD. (“Bay”)

2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal:

Unsecured Creditor and Party bidding for assets of the Debtors.

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, as applicable, are: Limetree Bay Services, LLC (1866); Limetree Bay Refining Holdings, LLC (1776); Limetree Bay Refining Holdings II, LLC (1815); Limetree Bay Refining, LLC (8671); Limetree Bay Refining Operating, LLC (9067); Limetree Bay Refining Marketing, Services, LLC, 11100 Brittmoore Park Drive, Houston, TX 77041.

Part 2: Identify the subject of this appeal

1. Describe the judgment, order or decree appealed from:

Order Granting Debtors' Emergency Motion to (I) Reopen Auction Pursuant to Bidding Procedures, (II) Approve Schedule and Procedures for Continued Auction, and (III) Grant Related Relief [Docket No. 913]

2. State the date on which the judgment, order, or decree was entered:

December 10, 2021

Part 3: Identify the other parties to the appeal

List the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

1. **Appellant: BERRY CONTRACTING LP, D/B/A BAY, LTD.**

Attorneys for Appellants:

Patrick L. Hughes
Martha Wyrick
Christina F. Crozier
HAYNES AND BOONE, LLP
1221 McKinney Street, Suite 4000
Houston, Texas 77010
Telephone.: (713) 547-2000
Email: patrick.hughes@haynesboone.com
Email: martha.wyrick@haynesboone.com
Email: christina.crozier@haynesboone.com

Butch Boyd
Jeremy Stone
BUTCH BOYD LAW FIRM
2905 Sackett Street
Houston, Texas 77098
Telephone: (713) 589-8477
Email: butchboyd@butchboydlawfirm.com
Email: jeremystone@butchboydlawfirm.com

2. **Debtors:** Limetree Bay Services, LLC, Limetree Bay Refining Holdings, LLC, Limetree Bay Refining Holdings II, LLC, Limetree Bay Refining, LLC, Limetree Bay Refining Operating, LLC, and Limetree Bay Refining Marketing, LLC

Attorneys for Debtors:

Elizabeth A. Green
BAKER & HOSTETLER LLP
SunTrust Center, Suite 2300
200 South Orange Avenue
Orlando, FL 32801-3432
Telephone: (407) 649-4000
Email: egreen@bakerlaw.com

Jorian L. Rose
BAKER & HOSTETLER LLP
45 Rockefeller Plaza
New York, New York 10111
Telephone: (212) 589-4200
Email: jrose@bakerlaw.com

Michael T. Delaney
BAKER & HOSTETLER LLP
Key Tower
127 Public Sq. Suite 2000
Cleveland, OH 44114
Telephone: (216) 621-0200
Email: mdelaney@bakerlaw.com

Dated: December 23, 2021

Respectfully submitted,

By: /s/ Patrick L. Hughes

Patrick L. Hughes
Texas Bar No. 10227300
Christina F. Crozier
Texas Bar No. 24050466
Martha Wyrick
Texas State Bar No. 24101606
HAYNES AND BOONE, LLP
1221 McKinney Street, Suite 4000
Houston, Texas 77010
Telephone.: (713) 547-2000
Facsimile: (713) 547-2600
Email: patrick.hughes@haynesboone.com
Email: martha.wyrick@haynesboone.com
Email: christina.crozier@haynesboone.com

Butch Boyd
Texas Bar No. 00783694
Jeremy Stone
Texas Bar No. 24013577
BUTCH BOYD LAW FIRM
2905 Sackett Street
Houston, Texas 77098
Telephone: (713) 589-8477
Facsimile: (713) 589-8563
Email: butchboyd@butchboydlawfirm.com
Email: jeremystone@butchboydlawfirm.com

**COUNSEL FOR BERRY
CONTRACTING LP, D/B/A BAY, LTD.**

CERTIFICATE OF SERVICE

I hereby certify that on December 23, 2021, a true and correct copy of the foregoing document was served upon all parties via ECF transmission who are authorized to receive electronic notice in this proceeding.

By: /s/ Patrick L. Hughes
Patrick L. Hughes